
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

WAYNE GAMBLE,
Plaintiff,

v.

MILWAUKEE FBI, *et al.*,
Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:20-cv-00440-JNP

District Judge Jill N. Parrish

Plaintiff Wayne Gamble (“Plaintiff”) sued the Milwaukee Federal Bureau of Investigation and the Iowa Bureau of Investigation (collectively, “Defendants”), proceeding pro se. Magistrate Judge Cecilia M. Romero issued an order granting Plaintiff’s petition to proceed *in forma pauperis*, as well as a Report and Recommendation that the action be dismissed with prejudice as frivolous and for failure to state a claim upon which relief may be granted. ECF No. 4. Magistrate Judge Romero notified Plaintiff that a failure to file a timely objection to the Report and Recommendation could waive any objections to it. Plaintiff did not file an objection within the allotted time.

Because Plaintiff did not object to the Report and Recommendation, he waived any argument that it was in error. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if “the interests of justice so dictate.” *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes that it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation for Dismissal (ECF No. 4) is ADOPTED IN FULL.
2. This action is DISMISSED WITH PREJUDICE.

Signed December 18, 2020

BY THE COURT



Jill N. Parrish
United States District Court Judge